

NEW JERSEY MILITIA NEWSLETTER

Volume XVI, Issue No. 5

November 2010

All persons are by nature free and independent, and have certain natural and unalienable rights, among which are those of enjoying and defending life and liberty, of acquiring, possessing, and protecting property, and of pursuing and obtaining safety and happiness.

-- Article 1, Section 1, New Jersey State Constitution

FBI plant may have fired first shots at Kent State

KENT, Ohio -- A violent altercation and four pistol shots took place about 70 seconds before Ohio National Guardsmen opened fire on antiwar protesters at Kent State University, according to a new analysis of a 40-year-old audiotape of the event.

The discovery raises new questions about one of the signature events of the 20th century, after four decades of spirited discussion and research.

"They got somebody," an observer says. "Kill him!" at least two male voices repeatedly shout, followed by sounds of a struggle and a female voice yelling, "Whack that [expletive]!" or "Hit that [expletive]!" Four distinct shots matching the acoustic signature of a .38-caliber revolver then ring out, according to a review by New Jersey forensic audio expert Stuart Allen.

Earlier this year, Allen examined the recording at *The Plain Dealer's* request and determined that Guardsmen were given an order to prepare to fire moments before they unleashed a 13-second fusillade of rifle shots at a May 4, 1970 demonstration that killed four students and wounded nine others. What compelled the Guard to shoot is the central mystery of the iconic event, which galvanized sentiment against the Vietnam War.

Though the tussle and pistol shots, if authenticated, match some key details of a confrontation several witnesses reported seeing or hearing involving a pistol-waving Kent State student named Terry Norman, they raise many new questions.

Norman was photographing protestors that day for the FBI and carried a loaded .38-caliber Smith & Wesson for protection. Though he

denied it, he previously has been accused of triggering the Guard shootings by firing to warn away angry demonstrators, which the soldiers mistook for sniper fire.

The apparent order for the Guardsmen to fire that is captured on the recording, as well as passage of more than a minute between the last supposed pistol shot and the Guard's gunshots, raises doubts about a connection between the two events.

"I think it's premature to make any conclusions at this point," said Alan Canfora, a protester who was wounded by the Guard gunfire and who unearthed a copy of the long-forgotten audio tape in a library archive in 2007. "All these questions add to the pressure on the U.S. and Ohio governments to begin a new investigation so we can determine the ultimate truths about this tragedy."

Norman has remained an elusive and controversial figure. He could not be located for comment on the new developments.

In the morning of Monday, May 4, 1970, Norman moved among the protesters and National Guardsmen skirmishing on campus, snapping pictures as the tension escalated. He had a press card issued by the Guard, and brought his own gas mask to fend off clouds of tear gas from the canisters Guardsmen fired to disperse the crowds, which demonstrators lobbed back at the soldiers.

In his only known interview, Norman told an *Akron Beacon Journal* reporter on the afternoon of the shootings that he carried the pistol because protesters had threatened his life four times while he took photos at sit-ins during the weekend.

He was shooting the pictures for the Kent State police

department and the Akron FBI office, "for the purpose of identification and prosecution of violators," he said in a police statement that day. The FBI later acknowledged having paid Norman \$125 in April 1970 for supplying information to the bureau.

Shortly after the Guard gunfire on May 4, a camera crew for Cleveland's WKYC TV began filming Norman as he ran toward a cordoned-off area where Guardsmen and police officers had gathered. Norman was being chased by two men.

One of them, a graduate student named Harold Reid, yelled, "Hey, stop that man! I saw him shoot someone! Stop him! Stop him! He's carrying a gun."

As the WKYC camera rolled, Norman handed a gun to a police officer. "The guy tried to kill me," he said, recounting an assault that he would later repeatedly assert took place after the Guard shootings.

What happened next is in dispute. Both former WKYC reporter Fred DeBrine and sound man Joe Butano have said repeatedly over the years that they heard Kent State police Detective Thomas Kelley, who took possession of Norman's gun and had opened its cylinder, say, "Oh my God, he fired four times."

In interviews with *The Plain Dealer* this week, DeBrine and Butano reiterated that account.

Kelley later denied having made the remark, and it was not captured on film, since the WKYC cameraman had turned to record a passing ambulance. Kent State patrolman Harold Rice, who had taken the gun away from Norman, wrote in his incident report that it was fully loaded, and that he sniffed the barrel and did not detect burnt powder.

As William Gordon reported in "Four Dead in Ohio", an authoritative book on the Kent State tragedy, a later FBI ballistics test on Norman's pistol determined it had been fired since its last cleaning, but there was no way to determine when.

The presidential commission that investigated the Guard shootings determined Norman played no role in them.

At least one witness, Kent State junior Janet Falbo, said she saw an altercation between protesters and a man matching Norman's description that occurred five minutes before the Guard shootings.

In a letter written the next day to university president Robert White, Falbo said a young man with a gas mask, camera and shiny silver handgun hit a student in the face with the pistol's butt. When others approached, the man "turned into an animal. He crouched down and pointed the gun at everyone in all directions, saying 'I'll shoot.'" Falbo did not see him fire.

Janet Froelich, an author and former *Akron Beacon Journal* and *Tampa Tribune* reporter, wrote an exhaustive investigation of the Terry Norman affair in 2006. She tracked down his elderly uncle, since deceased, who told her in one interview that Norman had fired his gun to scare off attackers, but in another declined to answer whether his nephew had shot before or after the Guard did, or at all. Jim Norman called his nephew a scapegoat, and said he "just wanted to be James Bond."

Froelich documented Norman's strange life in the wake of Kent State. He was hired as an undercover narcotics agent by the Washington, D.C. police department three months after the shootings – a job Norman's uncle said the FBI got for Terry -- and worked there until he moved to California in 1983.

He pleaded guilty to defrauding a California company he worked for, and served more than three years in federal prison in the 1990s. Froelich tracked Norman to a mountain town in North Carolina, but was never able to contact him. The pistol fire on the 40-year-old audio tape "could well be" the altercation Norman described to his relatives, Froelich said. "It would be wonderful if Terry Norman would come clean at this point."

- *Cleveland Plain Dealer* Oct. 8, 2010

Three things about Islam

Ed.: Last month we printed the first "thing about Islam": **1. Islam has not been hijacked.** Next month we'll print number **3. Muslims are allowed to deceive non-Muslims if it helps Islam.**

Here's the second "thing about Islam":

2. Striving to introduce worldwide Shari'a law is a religious duty.

Many people don't realize how politically-oriented Islam is at its core. In fact, Islam is less of a "religion" than it is a "religious ideology". It includes a mandatory and highly specific legal and political plan for the whole of society: Shari'a.

There is no separation between the religious and the political in Islam; rather Islam and Shari'a constitute a totalitarian means of ordering society at every level, including ritual worship, transactions and contracts, morals and manners, beliefs and punishments.

In the Qur'an Allah makes it clear that man-made governments (such as a democracy) and free speech (such as criticizing the Qur'an) are abominations and must be eliminated. The modern expression, "creeping Shari'a" is used to describe the slow, deliberate and methodical advance of Islamic law in non-Muslim countries.

Official Shari'a courts already operate in the UK, handling cases ranging from divorce and financial disputes to domestic violence. Attempts to introduce Shari'a in the legal system in Germany, Sweden and other European countries are ongoing. While Shari'a already has a foot in our door in the matter of minor disputes like inheritance and domestic violence, it should concern you that Shari'a:

- * Commands that drinkers and gamblers should be whipped;
- * Allows husbands to hit their wives;
- * Allows an injured plaintiff to exact legal revenge – literally an eye for an eye;
- * Commands that a thief must have a hand cut off;
- * Commands that homosexuals must be executed;
- * Orders unmarried fornicators to be whipped and adulterers to be stoned to death;
- * Orders death for both Muslim and non-Muslim critics of Mohammad, the Qur'an and even Shari'a itself;
- * Orders apostates to be killed;
- * Commands offensive, aggressive and

unjust Jihad.

As written in the Qur'an, Shari'a is the law of Allah. Any other form of government is a sin. It is the duty of every Muslim to keep striving until all governments have been converted to Shari'a law.

-- Source: Transcript of The White Roses' video "Three Things about Islam", 27 July 2010

A question for the Pope

Tell me, Holy Father: is it true that some time ago you asked the sons of Allah to forgive the Crusades that Your predecessors fought to take back the Holy Sepulchre? But did the sons of Allah ever ask you to be forgiven for having taken the Holy Sepulchre? Did they ever apologize for having subjugated for over seven centuries the super-Catholic Iberian peninsula, the whole of Portugal and three quarters of Spain, so that if Isabella of Castile and Fernando of Aragon had not chased them out in 1490 we would all speak Arabic? The question intrigues me, Holy Father, because they never asked me any forgiveness for the crimes that in the seventeenth and eighteenth century the Saracens committed along the coasts of Tuscany and in the Mediterranean. I mean they kidnapped my ancestors, they chained up their legs and their arms and their necks, they took them to Algiers or Tunis or Tangier or Constantinople and sold them in the bazaars. They kept them slaves for the rest of their lives, the young women inside the harems, they punished their attempts to escape by cutting their throats: remember? Of course you remember. The Society for the Liberation of the White Slaves held in Algeria, in Tunisia, in Morocco, in Turkey etcetera was founded by the Catholic Church that negotiated the release of those who had the money to pay their ransoms: right? You really bewilder me, Most Holy Father. Because you have worked so hard to see the Soviet Union collapse... And after such a victory you wink at individuals who are worse than Stalin, you flirt with the same ones who would still like to build a mosque inside the Vatican? Most Holy Father, in all respect, you remind me of the German-Jewish bankers who in the 1930s, hoping to save themselves, lent money to Hitler. And who a few years later ended in his crematory ovens.

-- Oriana Fallaci, *The Rage and the Pride*, pp 81-82 (2001)

In the beginning of change the patriot is a scarce man, brave, hated and scorned. When his cause succeeds, however, the timid join him, for then it costs nothing to be a patriot. – Mark Twain

EEOC sues on behalf of Muslims

The federal Equal Employment Opportunity Commission has filed several lawsuits connected with anti-Muslim discrimination. It sued JBS Swift, a meatpacking company, on behalf of 160 Somali immigrants; it filed a case against Abercrombie & Fitch, the clothing retailer, for refusing to hire a Muslim who wore a head scarf; and it sued a Four Points by Sheraton hotel in Phoenix, charging that an Iraqi immigrant was called a "camel jockey".
-- www.truth-out.org, "Muslim-Americans Foil Terror Threats" by William Fisher 09 November 2010

Handheld radar senses life behind the wall

Pretty please, with sugar on top, don't call it *seeing* through walls. That gets Army engineers gritting their teeth. Instead, this cream-colored handheld *senses* through the wall, seeing if any live human being is behind it before a squad kicks down the door to see for itself.

At least that's how Douglas Graham explains the AN/PPS-26 STTW ("Sense Through The Wall," get it?) device, which looks a like a cross between a gas-meter reader and an '80s video game console. Graham, a spokesman for Program Executive Office Soldier — the Army office that develops everything soldiers wear or carry — hoists the maybe-five-pound plastic device in his right hand and clicks a button to turn it on. He places it up to one of the plastic barriers that separate the display stands for exhibitors at the annual Association of the U.S. Army conference in Washington.

A tiny screen above Graham's hand lights up, calculating positioning by degrees above the STTW and distance from it, measured in five-meter intervals. With his thumb, Graham clicks the other button on the device, firing off a radar that detects motion on the opposite side of the barrier. Suddenly, the display shows yellow dots flitting from place to place. Those are people, evidently getting bored by whatever weapons display the kiosk hosts.

PEO Soldier recently awarded Raytheon and L3 two multi-million dollar contracts to build 30 STTW units so testing on them can begin. "Imagine the physical wear and tear if you're knocking down doors and you don't know if someone is behind them," Graham says.

But the STTW doesn't exactly make the wall transparent, a long-standing goal of the Pentagon's DARPA researchers. There's a lot that the STTW doesn't do.

For one thing, it can't sense through metal. And even when placed against "wood-framed houses, mud or adobe," the buildings STTW *can* sense through, a wall thickness of more than eight inches will throw the device off.

For another, the motion detected is slight: someone standing still needs to breathe, and the STTW pick up on the resulting chest movements. But if a chair falls or a painting drops, that gets detected as well, even if the yellow dot representing it disappears pretty quickly. All of which sounds like a unit operating the STTW will have to deal with uncertainty in what it picks up.

Then there's the biggest unknown. The yellow dots can't tell if someone's an adversary or a civilian. "It can't tell you if a person is a child or an adult, carrying a gun or not," Graham says. "It could be a cow or a chimpanzee or a human being." In other words, don't use it as a targeting device.

That said, it's better than not knowing if there's any sign of life inside a room you're about to enter, hostile, friendly or chimpanzee. "If you know something's alive behind that wall, it just allows you to adjust," Graham says. Figuring out what exactly is on the other side of a wall may require some adjustments of its own.

www.wired.com Oct. 26, 2010

The Remington 700 rifle & "any fool with a screwdriver"

Regarding reports of two accidental discharges of Remington 700 rifles, first let me say I currently own, and love, a Remington 700BDL in .30-06. But I'd like to state a potential danger that owners need to be made aware of. As expert Dave Petzal pointed out, if there is any shortcoming with the original 700 trigger design, it is that anyone with a small screwdriver can adjust the trigger to a dangerously light pull of well under 3 pounds.

The triggers on both of the accidentally discharged 700s had their triggers adjusted to very light settings. I do not believe that a trigger adjusted to at least a 3 pound pull would ever allow the trigger to be bumped off of the sear by manipulating the bolt handle. My concern is the same as Mr. Petzal's, that the trigger can be so easily adjusted by "any fool with a small screwdriver." This adjustment is

facilitated (and perhaps inadvertently encouraged) by the trigger's design.

I believe that every owner of that fine rifle should be made aware of the potential problem if they adjust the trigger to imprudently light settings.

-- VA ALERT, VCDL Update 11/11/10

Is free thinking a mental illness?

By Andrew

Is nonconformity and freethinking a mental illness? According to the newest addition of the DSM-IV (Diagnostic and Statistical Manual of Mental Disorders), it certainly is. The manual identifies a new mental illness called "oppositional defiant disorder" or ODD. Defined as an "ongoing pattern of disobedient, hostile and defiant behavior," symptoms include questioning authority, negativity, defiance, argumentativeness, and being easily annoyed.

The DSM-IV is the manual used by psychiatrists to diagnose mental illnesses and, with each new edition, there are scores of new mental illnesses.

New mental illnesses identified by the American Psychiatric Association in DSM-IV include arrogance, narcissism, above-average creativity, cynicism, and antisocial behavior. In the past, these were called "personality traits," but now they're diseases.

In the last 50 years, the DSM-IV has gone from 130 to 357 mental illnesses. A majority of these illnesses afflict children. The rise in ADD, bipolar disorder, and depression in children has been largely because of the manual's identifying certain behaviors as symptoms. A *Washington Post* article observed that, if Mozart were born today, he would be diagnosed with ADD and "medicated into barren normality."

The diagnosis guidelines for identifying oppositional defiant disorder are for children, but adults can just as easily suffer from the disease. This should give any freethinking American reason for worry.

The Soviet Union used new "mental illnesses" for political repression. People who didn't accept the beliefs of the Communist Party developed a new type of schizophrenia. They suffered from the delusion of believing communism was wrong. They were isolated, forcefully medicated, and put through repressive "therapy" to bring them back to sanity.

Some states have laws that allow protective agencies to forcibly medicate, and even make it a punishable crime to withhold

medication. This paints a chilling picture for those of us who are nonconformists.

Although the authors of the manual claim no ulterior motives but simply better diagnostic practices, the labeling of freethinking and nonconformity as mental illnesses has a lot of potential for abuse. It can easily become a weapon in the arsenal of a repressive state.

-- www.offthegridnews.com/2010/10/8

Ed.: the shrinks are hard at work; are, militiamen, constitutionalists and Oathkeepers next?

New Jersey – a gun owner's nightmare

Suppose you live in N.J. and have a friend who is interested in learning about guns. So you take your unloaded .22 rifle over to his house and show him the basics of firearm operation, such as how to switch the safety on and off. Under N.J. law, both of you have just committed felonies. In N.J. sharing a gun, even for a moment, is against the law unless there is paperwork.

In order for the gun demonstration to be legal the friend would have to fill out a Certificate of Eligibility form, and then the owner would have to fill out a Certificate of Eligibility form to get the gun back. Both the gun owner and the friend would have to keep permanent files of the Certificate of Eligibility forms recording the gun "transfer" that took place. As for a handgun in N.J., it is completely illegal to take it to a friend's house, even if the friend just looks at the handgun and never touches it.

-- "Twisting the Truth", *America's 1st Freedom*, November 2010

How can New Jersey imprison a gun owner who broke no laws?

By David Codrea

"Hey David," the Facebook message began, "Thought you might be interested in Brian Aitken, in jail in NJ for 7 years for owning legal guns."

His supporters have established the "Free Brian Aitken" Facebook page.

Mission: To help free Brian Aitken, an innocent gunowner thrown in jail for moving from CO to NJ with his legally purchased firearms, disassembled and unloaded, locked in his trunk...

BrianDAitken.com gives us more details:

Aitken's defense team showed the jury Brian's FBI background checks to lawfully

purchase firearms. The Mount Laurel police officer testified that Brian's firearms were unloaded & locked in the trunk of his car exactly as New Jersey State Law requires. Brian knew how to do this because he had called the New Jersey State Police days earlier to ensure he was in compliance with the law.

Now, this 26 year old small business owner with no prior criminal record. is sitting in jail for 7 years simply because Judge James Morley, since removed for misconduct in a different case, refused to allow the jury to apply the state law that allows law abiding gun owners to transport their legally owned firearms from one house to another.

Police searched his car in response to a 911 call his mother made when she was concerned about his welfare. Brian's ex-wife had canceled visitation of his infant son once again and his mother's concerns were about Brian being possibly suicidal. She pleaded to the Judge that she had made the call to protect her son, not to have him thrown in state prison.

Attorney Evan F. Nappen sent a request for financial assistance to appeal the case to the National Rifle Association which "generously helped to support the defense of his trial..."

Nappen notes that "The Firearms Owner's Protection Act, 18 U.S.C. 926A, protects persons traveling with firearms between two locations where their firearms are lawfully possessed, if they comply with the transportation requirements.

"As with the New Jersey exemptions, the judge of the court below refused to read this exemption to the jury."

I encourage you to use the links I've provided, to learn more about this case, and to help free Brian Aitken.

-- www.examiner.com, Oct. 19, 2010

No free speech on campus for gun talk

By William Creeley

The First Amendment protects core political speech which extends to speech regarding the Second Amendment. This means that university students must be free to engage in unfettered discussion of the merits of gun policy in the same way that they are free to discuss, say, agricultural subsidies.

But an unfortunate consequence of the tragedies at Virginia Tech and Northern Illinois U. is that students are increasingly facing punishment or investigation for

engaging in any kind of gun-related speech.

For example, Hayden Barnes' ongoing federal civil rights lawsuit against Valdosta State should remind colleges that "simply invoking Virginia Tech or other incidents of severe violence on college campuses does not mean that a school can get away with declaring the most minor (or in this case nonexistent) references to violence some kind of actionable threat." VSU cited the tragedy at Virginia Tech to justify expelling Barnes for a "threatening" collage he posted on Facebook.

Incidents of overreaction to gun-related speech by school administrators make a long and shameful list:

* At Central Connecticut State U., a student gave a presentation about the safety value of concealed weapons on campus. His professor called the police, who subsequently interrogated him about where he was storing the guns that were registered under his name.

* At Tarrant County College, Texas, a student chapter of Students for Concealed Carry on Campus was prohibited from wearing empty gun holsters to protest policies that forbid concealed carry on campus. The group was only allowed to protest (without holsters) in the school's tiny and restrictive free speech zone. An administrator said that the empty holsters were too threatening for other students to see.

* At Colorado College, two male students were found responsible for sexually-related "violence" after they put up posters making fun of a feminist newsletter. Because the posters, which also parodied "guy stuff," made references to chainsaws and the range of a sniper rifle, administrators claimed that feminists on campus became afraid for their lives.

* Yale, after the Virginia Tech shootings, banned the use of any realistic-looking weapons in theatrical productions. Yale backed away somewhat from its original overreaction but still required audiences to be "notified in advance of the use of fake guns, swords and knives."

As always, FIRE will continue to monitor this unfortunate trend and to defend the rights of students and faculty to engage in fully protected speech on campus-even if that speech involves fake guns, empty holsters, or advocating for the right to carry concealed weapons on campus.
-- Foundation for Individual Rights in Education, March 10, 2010

Who needs a gun while walking?

A Florida man shot at an alligator to free his dog from its jaws. Tom Martino said he and his Jack Russell terrier Lizabeth were walking along the Hillsborough River in Tampa on Thursday when the alligator wrestled the 15-pound dog into the water.

Martino started shooting into the water around the alligator to scare it into releasing the 9-year-old dog.

Lizabeth was being treated for alligator bites and lung injuries from being underwater.

A Florida Fish and Wildlife Conservation Commission trapper captured the 5- to 6-foot alligator Thursday night.

Martino has a concealed weapons permit.

-- AP Nov. 5, 2010

U.S. chided by U.N. Human Rights Council

GENEVA — The U.S. stood accused Friday of human rights violations ranging from racial discrimination to prison overcrowding and abuses by its troops, as friends and foes lined up to chide Washington in a U.N. forum the U.S. has pledged to be an equal member of rather than shun, as the past administration did.

Assistant Secretary of State Esther Brimmer said Washington was proud of its record but prepared to engage critics during the country's first comprehensive review before the U.N. Human Rights Council.

Anticipating harsh words from Cuba, Venezuela and Iran, Brimmer took a jibe at those countries' restrictions on freedom of speech by telling the 47-nation council that the Obama administration was used to hearing criticism from its own citizens.

"Some are respectful and constructive, some are not," she said. "We protect them all."

Brimmer also noted that it was "our own people, to whom we are ultimately accountable," even as she repeated President Barack Obama's willingness to hear other nations' recommendations for how the U.S. can improve its record.

Russia urged the U.S. to abolish the death penalty. Indonesia, the world's most populous Muslim nation, called on Washington to better promote religious tolerance, and Mexico complained that racial profiling had become a common practice in some U.S. states.

China and others urged the U.S. to ratify key international

conventions on the rights of women and children that Washington has signed but Congress has yet to approve.

Responding to commentators who say that inviting criticism from countries like Iran in the U.N. forum is a mistake, Michael Posner, the assistant secretary of state for human rights, retorted that "this is what principled engagement looks like."

The U.S. came under new pressure over human rights with the revelation that former President George W. Bush personally authorized the waterboarding of Sept. 11 mastermind Khalid Sheikh Mohammed. The practice, a form of simulated drowning, has been described as torture and Obama outlawed it shortly after coming into office.

U.S. State Department legal adviser Harold Koh said that the question of whether a former U.S. president could be prosecuted for acts committed in office hadn't been resolved.

The three-hour meeting of the Geneva-based council, which the U.S. only joined last year after ending a de facto boycott by the Bush administration, is seen as a key test of Washington's willingness to engage the international community through the U.N. forum.

Many countries and rights groups praised the U.S. for its 20-page report — compiled with the input of civic and social organizations — though few observers expect the meeting to result in any immediate improvement on issues such as terrorism trials before a military commission, alleged unfair treatment of illegal immigrants and racial disparities in sentencing of drug offenders.

"Recognition of problems is a first step," said Antonio M. Ginatta, director of advocacy at New York-based Human Rights Watch.

-- AP November 5, 2010

Liberty advances in Kansas, U.S. Supreme Court in doubt

By Dave Kopel

In Kansas, the right to keep and bear arms had been included in the 1861 constitution -- no surprise, since only a few years before, a territorial government under the control of the slave power had confiscated guns from free-soilers in the infamous "Sack of Lawrence." This confiscation was denounced by the great anti-slavery Senator Charles Sumner (R-Mass.) in his speech "The Crime Against Kansas."

Sumner thundered: "Really, sir, has it come to this? The rifle has ever been the companion of the pioneer and, under God, his tutelary protector against the red man and the beast of the forest. Never was this efficient weapon more needed in just self-defence, than now in Kansas, and at least one article in our National Constitution must be blotted out, before the complete right to it can in any way be impeached. And yet such is the madness of the hour, that, in defiance of the solemn guaranty, embodied in the Amendments to the Constitution, that 'the right of the people to keep and bear arms shall not be infringed,' the people of Kansas have been arraigned for keeping and bearing them, and the Senator from South Carolina has had the face to say openly, on this floor, that they should be disarmed -- of course, that the fanatics of Slavery, his allies and constituents, may meet no impediment. Sir, the Senator is venerable . . . but neither his years, nor his position, past or present, can give respectability to the demand he has made, or save him from indignant condemnation, when, to compass the wretched purposes of a wretched cause, he thus proposes to trample on one of the plainest provisions of constitutional liberty."

Yet in 1905, the Kansas Supreme Court nullified the state constitutional right to arms, by declaring that the right belonged to no individual, but was simply an affirmation of state government power over the state militia. In dicta, the *Salina v. Blaksley* decision said that the Second Amendment had the same meaning. This is the origin of the "state's right" or "collective right" theory of the Second Amendment which was accepted by many judges and academics (but never by the American people) during the following century.

Last night, the people of Kansas undid the court's crime against the Kansas Constitution. By a vote of 88 percent, the people of Kansas added the following to their state constitution: "A person has the right to keep and bear arms for the defense of self, family, home and state, for lawful hunting and recreational use, and for any other lawful purpose."

[However] the Second Amendment continues to hang by a single vote in the Supreme Court, thanks to Sonia Sotomayor deceiving her way through the confirmation hearings, and then voting to overturn *District of Columbia v. Heller*. There is little reason to expect Elena Kagan to be any better.

-- From "The Second Amendment's great election night," Washington Examiner, Nov. 4, 2010

Mexicans attack Second Amendment (again)

Many Mexican politicians view the current drug war — which has claimed roughly 30,000 lives over the past four years — as one more curse foisted on Mexico by their rich neighbor to the north.

Just this week, the Mexican ambassador to Washington again blamed lax American gun laws for fueling the drug conflict in Mexico.

Ambassador Arturo Sarukhan in a speech to the Council on Foreign Relations in New York said, "The founding fathers didn't draft the Second Amendment to allow international organized crime to A: illicitly buy weapons in gun shops and gun shows; B: illicitly cross them over an international border; and C: sell them to individuals of a country where those calibers or types of weapons are prohibited"....

There have been recent successes in gun seizures at or near the border. This summer, police in Texas got a tip that two men in a truck were moving a cache of weapons through Laredo. The authorities found 147 assault rifles and more than 10,000 rounds of ammunition in the vehicle, which they believe was headed for Mexico. But the perception here remains that the drug cartels continue to be able to buy weapons unfettered north of the Rio Grande.

-- NPR, "U.S. Guns Blamed for Fueling Violence in Mexico," Nov. 14, 2010

Fox News calls NPR "Nazis"

Roger Ailes, the head of Fox News cable channel, described the U.S. National Public Radio staff as "Nazis". Ailes attacked NPR for its dismissal of commentator Juan Williams over remarks about Muslims and terrorism while appearing on Fox News. Ailes told the Daily Beast website, "They are, of course, Nazis. They have a kind of Nazi attitude. They

are the left wing of Nazism. These guys don't want any other point of view. They don't even feel guilty using tax dollars to spout their propaganda."

Hours after the interview appeared Ailes was quick to apologize by sending a letter to the Anti-Defamation League: "I was of course ad-libbing and should not have chosen that word but I was angry because of NPR's willingness to censor Juan Williams for not being liberal enough."

-- www.guardian.co.uk/world/richard-adams-blog/2010/nov/18

Ed.: Juan Williams had the audacity to say to Fox News' Bill O'Reilly, "When I get on the plane, I got to tell you, if I see people who are in Muslim garb and I think, you know, they are identifying themselves first and foremost as Muslims, I get worried. I get nervous."

Government claims unchecked authority to kill Americans

WASHINGTON - The Obama administration today argued before the U.S. District Court that it should have unreviewable authority to kill Americans the executive branch has unilaterally determined to pose a threat.

"The administration makes the extraordinary claim that the court has no role in reviewing that power or the legal standards that apply," said Center for Constitutional Rights attorney Pardiss Kebriaei. "The Supreme Court has rejected the government's claim to an unchecked system of global detention, and the district court should similarly reject the administration's claim here to an unchecked system of global targeted killing."

The American Civil Liberties Union and CCR were retained by Nasser Al-Aulaqi in connection with the government's decision to authorize the targeted killing of his son, U.S. citizen [and alleged terrorist] Anwar Al-Aulaqi. The lawsuit asks the court to rule that, outside the context of armed conflict, the government can carry out the targeted killing of an American citizen only as a last resort to address an

imminent threat to life or physical safety. The lawsuit also asks the government to disclose the legal standard it uses to place U.S. citizens on government kill lists.

"If the Constitution means anything, it surely means that the president does not have unreviewable authority to summarily execute any American whom he concludes is an enemy of the state," said Jameel Jaffer of the ACLU. "The courts have a crucial role to play in ensuring that counterterrorism policies are consistent with the Constitution."

The government claims that the targeted killing authority is a "political question" that should not be subject to judicial review. The government also asserted the "state secrets" privilege, contending that the case should be dismissed to avoid the disclosure of sensitive information.

-- ACLU Press Release Nov. 8, 2010

When intellectuals turned against America

1929-33 was a great watershed in American intellectual history. In the 18th century American men of ideas and letters had been closely in tune with the republicanism of the Founding Fathers. In the 19th century they had on the whole endorsed the individualism which was at the core of the American way of life — the archetypal intellectual of the mid-century, Emerson, had been himself a traveling salesman for the spirit of self-help in the Midwest. From the early Thirties, however, the intellectuals, carrying with them a predominant part of academia and workers in the media, moved onto a position of criticism and hostility towards the structural ideas of the American consensus: the free market, capitalism, individualism, enterprise, independence, and personal responsibility.

--*A History of the American People*, Paul Johnson, p.743 (1997)

--

NJM, P.O. Box 10176, Trenton New Jersey 08650

ISSN 1523-4657

www.njmilitia.org

info@njmilitia.org

walnor@keepandbeararms.com

Middlesex County, Art (732) 607-0833

Morris County, Bill (973) 361-3241

Johnson County, TX, Earl (817) 783-2375

Wake County, NC, Dave (919) 521-4147

Newsletter Subscription - Donation \$10.00

Cash or Blank Money Order Only

Name _____

Address _____

City _____ State _____ Zip _____